

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JEFFERY BAKER, JR.

*

Petitioner,

*

v.

*

2:06-CV-61-ID

RUSSEL THOMAS, SHERIFF, *et al.*,

*

Respondents.

*

O R D E R

Pending before the court is Petitioner's application for habeas corpus relief. Petitioner has not submitted the \$5.00 filing fee nor has he filed motion for leave to proceed *in forma pauperis*. Petitioner, therefore, shall be granted additional time to either provide the court with the \$5.00 filing fee or with the information necessary for a determination of whether he should be allowed to proceed *in forma pauperis* in this cause of action.

Accordingly, it is ORDERED that:

1. On or before February 13, 2006 Petitioner either submit the \$5.00 filing fee or file the appropriate affidavit in support of a motion for leave to proceed *in forma pauperis*. Petitioner is cautioned that his failure to comply with this Order will result in a recommendation by the undersigned that this case be dismissed; and

2. The Clerk of Court SEND a form for use in filing a motion to proceed *in forma pauperis* to Petitioner.

Done this 30th day of January 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE